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11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 SUNSET COMMERCIAL LLC, a Nevada  
14 Limited Liability Company,

15 Plaintiff,

16 vs.

17 STAUFFER MANAGEMENT COMPANY,  
18 a Delaware Limited Liability Company;  
19 MONTROSE CHEMICAL CORPORATION  
20 OF CALIFORNIA, a Delaware Corporation;  
21 ATLANTIC RICHFIELD COMPANY, a  
22 Delaware Corporation; OLIN  
CORPORATION, a Virginia Corporation,  
TITANIUM METALS CORPORATION, a  
Delaware Corporation; NL INDUSTRIES,  
INC., a New Jersey Corporation; LE  
PETOMANE XXVII, INC., an Illinois  
Corporation, in its representative capacity as  
the NEVADA ENVIRONMENTAL  
RESPONSE TRUST TRUSTEE; and the  
UNITED STATES OF AMERICA.

23 Defendants.

24 Case No. 2:23-CV-02081-GMN-BNW

25 **STIPULATION AND PROPOSED ORDER  
26 TO EXTEND DEADLINE FOR  
27 DEFENDANT MONTROSE CHEMICAL  
28 CORPORATION OF CALIFORNIA TO  
RESPOND TO AMENDED COMPLAINT  
(ECF 35)**

29 *(Second Request)*

30 Plaintiff Sunset Commercial LLC (“Sunset”) and Defendant Montrose Chemical  
31 Corporation of California (“Montrose”), by and through counsel of record, and consistent with  
32 Local Rule IA 6.1(a), hereby stipulate to an extension of time for Montrose to respond to Plaintiff’s  
33 Amended Complaint (Docket Entry No. 35, the “Amended Complaint”) until **June 7, 2024** (the  
34 “Stipulation”).

1           On or about April 15, 2024, Plaintiff filed its Amended Complaint. This is the second  
 2 requested extension of these deadlines overall. *See* Local Rule IA 6-1(a). The first requested  
 3 escalation applied to the Amended Complaint.

4           The parties seek to abide by this Court’s “Standing Order” filed on December 19, 2023  
 5 (Docket Entry No. 9), stating that “Judge Navarro will generally deny a stipulation or motion for a  
 6 continuance or extension of time which lacks justification,” and that “[s]uch requests may be  
 7 granted only in extraordinary circumstances if just cause is presented.” The parties to this  
 8 Stipulation therefore identify the following points of justification that show just cause exists for  
 9 granting the Stipulation:

- 10           1.       Sunset filed the instant Complaint against the eight (8) Defendants captioned above  
 11           on December 14, 2023, seeking judgment against all Defendants for contribution  
 12           damages “for response costs in accordance with CERCLA Section[] 107(a),” (*see*  
 13           Complaint “Prayer for Relief” ¶ 1), meaning at least a portion of the Complaint’s  
 14           allegations (and especially its first two Claims for Relief) necessitate proceeding  
 15           against all Defendants together, rather than serially (*see* Compl. ¶¶ 154–78);
- 16           2.       The parties to this Stipulation agree it would be fair, not only to themselves but to  
 17           the other Defendants, to not require Montrose to file an Answer or other response  
 18           sooner than other Defendants must file an Answer, since some of Plaintiff’s claims  
 19           are asserted against all Defendants jointly;
- 20           3.       It is the intent of the parties to this Stipulation to use the additional time to explore  
 21           the possibility of mediation; and
- 22           4.       Discovery has not yet commenced in this case and extending the deadline for  
 23           Montrose to file a responsive pleading or other response would not prejudice any  
 24           other party to this case, nor would it affect any other deadlines at this early stage in  
 25           the proceedings.

1 DATED: May 6, 2024.

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10 DATED: May 6, 2024.

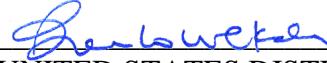
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22 **ORDER**

23 IT IS SO ORDERED.

24   
25 UNITED STATES DISTRICT JUDGE

26 **DATED: 5/7/2024**

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the law firm of Parsons Behle & Latimer and that on the 6th day of May, 2024, I filed a true and correct copy of the foregoing document, **STIPULATION AND ORDER TO EXTEND DEADLINE FOR DEFENDANT MONTROSE CHEMICAL CORPORATION OF CALIFORNIA TO RESPOND TO AMENDED COMPLAINT (ECF 35) (SECOND REQUEST)**, with the Clerk through the Court's CM/ECF system, which sent electronic notification to all registered users as follows:

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